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SUPREME COURT, U.S.

81-5164

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1980

No.

ALFRED M. STRICKLAND

Appellant

v.

BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES

Appellee

ON APPEAL FROM THE

COURT OF APPEALS OF MARYLAND

JURISDICTIONAL STATEMENT

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QUESTIONS PRESENTED

The questions presented by this appeal involve the most basic elements and principles of fair play, justice, due process and equal protection of the laws guaranteed by the United States Constitution. Also involved is the question of constitutionality of rules of procedure when used in such a manner that they deny an individual his right to a fair trial or appellate review.

1. Is it a violation of due process of law when a govermental agency makes demands of a private individual which interfere with his First Amendment right to freedom of speech and freedom of association, while refusing to inform him of the claim or charges against him and refusing him the opportunity to prove the claims or charges untrue?

2. Is it a violation of due process when a governmental agency refuses an individual due process in and by that agency, as in question 1, and instead brings a court action against him?

3. Is it a violation of due process when, after being summoned and appearing in court at the designated time, the defendant is tried in absentia, forced to wait in the corridor while the State's side is heard, the testimony being completely outside the pleadings, the defendant isn't even told what the testimony against him was, when he is given no opportunity whatever to defend himself, to be heard and, of course, no opportunity whatever to prove his innocence?

4. Is any judgement, decree, sentence, or court order which issues from such a proceeding as in question 3 void, a mere nullity, legally unenforcable, which can just be ignored?

5. Is a conviction for contempt of court, which is based on a void and legally unenforcable court order, void, a mere nullity, legally unenforcable, which can be ignored?

6. Is a trial which is designed and orchestrated by the attorneys for the state with but one purpose in mind, to inflame and prejudice the judge against the defendant and have him found guilty before he steps on the witness stand, a violation of due process and equal protection of the laws, the tactics including perjured testimony and failure to correct a gross misinterpretation of important evidence?

7. Is it a violation of due process and equal protection of the laws when the rules of procedure are used by the state for the purpose of denying the defendant his right to a fair trial and/or his right to appellate review, such denial being based on no least consideration concerning the merits?

8. Are rules of procedure unconstitutional when the invidiously discriminate against one who is unable to afford an attorney and is forced to act pro se, denying him the right to appellate review?

9. Are the rules of procedure unconstitutional when used in such a manner as to invidiously discriminate against anyone, or against any class, regardless of the cause of that discrimination.

10. Is a judgement, conviction, decree or court order issuing from such a proceeding as in question 6 void, a mere nullity, legally unenforcable, and can it be just ignored?

11. Is it a violation of due process and equal protection when the state brings its power and might to bear on a hapless citizen without the means to defend himself, without providing that citizen the means for an adequate defense, and <u>that</u>, regardless of the magnitude and/or nature of his cause?

12. Is it a violation of the ban on deprivation of property without due process when the state's violation and denial of an individual's right to due process and equal protection causes great financial costs and loss of time, because of that violation and denial of due process and equal protection?

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PREAMBLE
UNITED STATES CONSTITUTION

We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States of America.

EXCERPT
DECLARATION OF INDEPENDENCE

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are created among men . . .

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TO THE SUPREME COURT OF THE UNITED STATES:

FOREWORD

I am a layman, appealing pro se, and will ask that I be allowed to proceed in forma pauperis.

For two years I have sought justice from the State and Courts of Maryland. During these two years, my legal and constitutional rights have been violated and denied me as surely as though they had never existed. The tactics used against me by the Baltimore City Law Department have violated every element, principle and concept of fair play, justice and due process. Their tactics have ranged from the introduction of immaterial and irrelevant testimony to perjury and the most barefaced and outrageous lies as to law and fact and, in every instance, regardless of the merits of my cause, the courts have ignored those tactics and ruled against me.

For instance, in an action I had in the Circuit Court of Baltimore City, brought under the Maryland Public Information Act, the Baltimore City Law Department filed a motion for summary judgement. The claims they made in support of that motion were outright lies as to both law and fact. They made claims that there had been a hearing on the merits on counterclaims that I had previously brought under that Act, that I had had an opportunity to present testimony and evidence, that I was required to prove that I had a right to access to that information and that there had been a final judgement against me and that res judicata applied.

The truth is that, while I had filed counterclaims, they had been dismissed out of hand with no hearing whatever. I didn't know then, but I know now that the judge had no authority whatever to

dismiss my counterclaims without reason. Furthermore, the Act specifically states that the burden of proof in on the defendant Governmental entity, not the plaintiff, as the Baltimore City Law Department claimed. Although, by no stretch of the imagination was there even the least basis for res judicata, they got a dismissal with prejudice. That has nothing to do with this appeal, but it is to show the magnitude of my problem in obtaining justice from the Maryland courts. I will include the appropriate pleadings with this appeal.

I feel certain that the enmity of the Baltimore City Law Department and my inability to obtain justice in the Maryland courts can be accounted for by the following.

I am just an ordinary citizen. My financial resources were small when this began — they are far worse now and I am many thousands of dollars in debt. Because of my limited financial resources and the great expense of retaining a lawyer, I have, for the most part, been forced to act pro se.

I am not the type to roll over and play dead when I am attacked by a bully. I never learned the word quit, and I despise injustice, whether it is directed toward me or toward another.

Because, for the most part, I have been unable to afford a lawyer, I have spent many hundreds of hours studying law and doing legal research in order to defend myself against the state and, while I couldn't pass as a lawyer and am lost in form and procedure, with sufficient effort, I can find the law and when I do find it, I know what it says and what it means.

I have an excellent knowledge of psychology and human nature and there can be but little doubt but that a large part of the Baltimore City Law Department, rather said Department's members animosity toward me can be accounted for by the fact that they would find it intolerable to be beaten at their own game by a layman, that they will go to any lengths to prevent such an eventuality. Also, I have had no hesitation in telling them and

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the courts what I thought of their tactics against me.

I have also found that, instead of giving me credit for what I have been able to do with the law, for the hundreds of hours of time and effort I have spent learning and researching the law, lawyers and judges consider it the epitome of presumption that a layman should presume to know and dispute the law, and that it only arouses resentment and antagonism.

The merits of my cause carries no weight whatever. The fact that, because of what the state has done to me, I have lost every friend whom I once had and even my one son, that I am sixty years old and, now, many thousands of dollars in debt and that I have lost everything that once made life worth living, means nothing whatever to them. And even my job is gone.

Even in the United States District Court where I had brought suit, pro se, being unable to afford a lawyer, or find one to represent me, the judge was angered that I should dispute points of law, and sneered at me, because I was unable to give a positive answer to a point of law. And, although there can be no question whatever but that due process and equal protection has been denied me at every step of the way, he denied that due process and equal protection had been violated and dismissed my suit.

I have come into this Court asking for the justice which has been so surely denied me in the Maryland Courts. I only ask that which is mine, which is guaranteed to me by the United States Constitution.

Being a layman, acting pro se, I find the Rules extremely confusing and have but little conception of what should, or should not, be included in the various components such as the statement of the case. I can only tell what happened and the appropriate law.

Whatever the reason, whether my belief as to the reason is right or wrong, It is impossible for me to obtain justice in Maryland courts. If the Baltimore City Law Department claimed snow was black and coal white, the courts would rule in their favor.

OPINIONS BELOW

There were no opinions below.

JURISDICTION

This is an appeal from a conviction for contempt of court in the Circuit Court of Baltimore City September 10, 1980, a court order issued September 25, 1980, certiorari denied by the Court of Appeals of Maryland April 6, 1981.

The jurisdiction of this court is invoked under 28 U. S. C. §§ 2101 (c) and 1257 (2). The constitutional questions are several, some going to the very roots of the administration of justice, due process and equal protection of the laws.

This appeal involves total denial of due process and equal protection of the laws in every proceeding and every instance over the past two years. Notice of appeal filed with jurisdictional statement.

CONSTITUTIONAL PROVISIONS
RULE OF PROCEDURE

United States Constitution, 1st, 5th and 14th Amendments.

Congress shall make no laws respecting . . . abridging the freedom of speech . . . the right of the people peaceably to assemble . . .

No person shall . . . be deprived of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Maryland Rule of Procedure, 1035 b. On Motion. On motion filed by any party, an appeal may be dismissed for any one of the following reasons: 7. The style, contents, format, legibility or method of reproduction of a brief, appendix or printed record extract does not comply with Rule 1031 (Style and Contents of Brief).

STATEMENT OF THE CASE

Being a layman acting pro se, I have little idea of what should be said here. I can only tell what happened.

It began In July 1979 when I began to receive demands from Appellee that I stay away from a young girl I had befriended, Miss Shirley Richards. In spite of repeated requests and demends that they rell me their reasons and give the the opportunity to prove they were false, that that was my right under the Maryland Public Information Act and the due process clause of the Fourteenth Amendment, I received only the curtest of refusals with threats of court action.

Those demands with the refusal to tell me the reasons and give me the opportunity to prove them false was an arbitrary attempt to interfere with my First Amendment rights to freedom of speech and association and denial of due process. And liberty.

On November 2, 1979 Appellee filed suit against me in the Circuit Court of Baltimore City alleging interference with the custody of a minor. Rather than be forced to wait, perhaps several months longer,for a trial, I agreed to a hearing in judge's chambers with the belief that , although it would be more informal than a trial, I would be accorded all elements of due process.

I appeared in court on the designated day, May 20, 1980 with my lawyer and witnesses, prepared to defend myself and prove my innocence. However, I was given no chance whatsoever to be heard, to defend myself or prove my innocence. I was tried <u>in absentia</u>.

I, my witnesses and, I believe, my lawyer, were forced to wait in the corridor while the judge heard the state's side of the case. I wasn't even told what was said against me and didn't find out until I obtained a transcript of the testimony months later. The testimony against me consisted of the most blatant perjury and coerced testimony.

The judge had made his decision before he ever even saw me.

When I tried to say something, the judge cut me off and refused to listen to me. A court order was issued June 2, 1980 ordering me not to initiate contact with Miss Richards. There was no ban on her calling me. There was no ban on her asking me to visit her. There was no ban on me visiting her at her request.

I didn't know then, but I know now that that proceeding and court order were void, mere nullities for lack of due process. The court order wasn't worth the paper it was written on.

On June 2, I filed a motion, pro se, to reopen the case on grounds of total violation of due process. The Baltimore City Law Department filed a motion June 5, 1980, to strike my motion. My motion to reopen was ignored.

On July 22, 1980 Appellee filed a petition to have me held in contmpt of court. A show cause order was issued August 11, 1980 by the Circuit Court of Baltimore City.

The trial(?) was held September 10, 1980. It would be difficult to imagine a more vicious and unprincipled attack than the one launched against me by the Baltimore City Law Department. They threw every dirty book in the library at me. They used perjured testimony, immaterial and irrelevant testimony, hearsay, they introduced a letter which I had written stating in no uncertain terms that I had no intention of being blackmailed, in such a way as to make me appear to be some kind of nut or monster. The judge grossly misinterpreted that court order to have meant an absolute ban on contact between Miss Richards and myself. When my lawyer failed to correct that misinterpretation, it was the ethical and legal duty of the lawyer from the Baltimore City Law Department to do so, He deliberately said nothing.

That misinterpretation of that court order made it, in effect false evidence.

There can be no question but that the Baltimore City Law Department deliberately designed and orchestrated that proceeding with but one purpose in mind, to have me found guilty before I

stepped on the witness stand and they succeeded. As I was being called to the stand, the judge said, "You have caused far too much trouble already." I was, in effect, denied the right to be heard, because he had already judged me to be guilty, and nothing I could have said would have made any difference.

An order for appeal to the Court of Special Appeals of Maryland was entered on Octover 9, 1981. Because I was unable to afford a lawyer to handle my appeal, I was forced to do so myself, pro se, but was unable to meet the technical requirements for a brief. The Baltimore City Law Department filed a motion that my appeal be dismissed on the grounds that it did not comply sith the requirements of the rules of procedure, and my appeal was dismissed on those grounds. Neither the motion to dismiss nor the dismissal was concerned in any way at all with the merits of my appeal, but only with the fact that it did not comply with the technical requirements. The order of dismissal was entered on February 9, 1981.

I applied for certiorari to the Court of Appeals February 17, 1981. I made a specific plea to them that I was a layman, that there was no point in trying to comply with the technical requirements and asked them to judge my application on the merits.

The Baltimore City Law Department filed a motion to deny me certiorari on the grounds that review hadn't been shown to be desirable and in the public interest. On April 6, 1981, my application for certiorari was denied on those grounds.

In the Court of Appeals, I raised the issue of unconstitutionality of the rules of procedure when used merely for the purpose of denial to an individual of his right to appellate review. In both courts of appeals I had raised the questions of total lack of due process from the beginning of this affair and that the proceedings and orders were all nullities and legally unenforcable.

On December 3, 1980, I filed a motion to vacate the conviction for total lack of due process and to vacate the court order. The

Baltimore City Law Department filed a motion to strike. My motion to vacate was ignored.

I filed a petition for Habeas corpus in Baltimore City Court February 13, 1981. Nothing happens. It is ignored.
I filed a petition for injuntive relief in the United States District Court in Baltimore. The judge ruled that I had not been denied due process.

The Baltimore City Law Department filed the most barefaced and outrageous lies as to both law and fact to have my suit against Appellee in the Circuit Court of Baltimore City dismissed with prejudice, claiming res judicata, when there had never been any kind of hearing or judgement. The judge granted that dismissal with prejudice when Res judicata could not possibly have applied.

There can be no question whatever but that it is absolutely impossible for me to obtain justice in the Maryland Courts.

My lawyer was so incompetent that if it hadn't been contrary to reason, I would have sworn that he was in the pay of Appellee instead of mine.

ARGUMENT

In this case, every principle, concept and element of fair play, justice and due process have been violated and denied me from the very beginning, as surely as though my legal and constitutional rights had never existed.

It began with demands from Appellee that I stay away from Miss Shirley Richards, a minor child whom I had befriended. In spite of repeated requests and demands that it was my right under both the Maryland Public Information Act and the due process clause of the Fourteenth Amendment to know their reasons, the charges against me and to have the opportunity to prove them false, I received only the curtest of refusals, with threats of court action if I didn't stay away from Miss Richards.

The United States Constitution applies to the states through the Fourteenth Amendment. The First Amendment guarantees the right to freedom of speech and freedom of association. When a state interferes with fundamental rights guaranteed by the Constitution, the due process clause comes into play. Due process requires that when the actions of a governmental agency interfere with the fundamental rights guaranteed under the United States Constitution that he be informed of the claim or charges against him, that he be given an opportunity to be heard and to prove the claim or charges untrue, before being condemned to suffer grievous loss, especially where the charges are such that they involve his good name, reputation, honor or integrity. These demands and refusal of due process were arbitrary, in violation of my right to freedom of speech and freedom of association.

> ". . . . Given this historic background and design, the conclusion seems inescapable that the right to associate with others of one's choice at any time is one of the liberties protected by the fifth amendment.
>
> "While many rights of the individual, even — to some undefined but limited extent — those which come within the language of the Bill of Rights, may be overridden by statute if a clear necessity exists (citations omitted), it is axiomatic that no federal official may limit a person's

freedom without authority either clearly specified in a statute or plainly implied from constitutional or recognized common law sources. See, Aptheker v. Secretary of state, 378 U.S. 500, 518, 84 S.Ct. 1659, 1670, 12 L.Ed.2d 992 (1964) (Black J. concurring) ("neither the Secretary of State nor any other goverment agent can deny people in this country their right to liberty to travel or their liberty to do anything else except in accordance with the 'law of the land' as declared by the Constitution or by valid laws made pursuant to it.') Kent v. Dulles, 357 U.S. 116, 78 S.Ct. 1113, 2 L.Ed.2d 1204 (1958); (citations omitted).

. . . .

. . . .

". . . .'No right is held more sacred, or is more carefully guarded, by the common law, than the right of every individual to the possession and control of his own person, free from all restraint or interference of others, unless by clear and unquestionable authority.')

. . . .

. . . .

". . . . When an agent of the IRS or any administrative body (emphasis added) acts on its own authority to set the individual's power to associate, this constitutes an invasion of the liberties guaranteed by the due process clause. . . . " United States v. Tarlowski, 305 F.Supp. 112, 122-123 (1969); Union Pacific Railway Co. v. Botsford, 141 U.S. 250, 251, 11 S.Ct. 1000, 1001 (1891).

"'. . . . Liberty implies the absence of arbitrary restraint, not immunity from reasonable regulations and prohibitions imposed in the interests of the community.' Chicago, Burlington & Quincy R. Co. v. McGuire, 219 U.S. 549m 565, 31 S.Ct. 259, 262, 55 L.Ed. 328." West Coast Hotel Co. v. Parrish, 300 U.S. 379, 393, 57 S.Ct. 578, 582 (1937).

". . . . Yet certainly where the State attaches 'a badge of infamy' to the citizen, due process comes into play. (citation omitted). '[T]he right to be heard before being condemned to suffer grievous loss of any kind, even though it may not involve the stigma and hardships of a criminal conviction, is a principle basic to our society.' (citations omitted).

"Where a person's good name, reputation, honor or integrity are at stake because of what the government is doing to him, notice and an opportunity to be heard are essential. . . . " Wisconsin v. Constantineau, 400 U.S. 433, 437, 91 S.Ct. 507, 510 (1971); Board of Regents of State Colleges v. Roth, 408 U.S. , 92 S.Ct. 2701 (1972).

"Certain principles have remained relatively immutable in our jurisprudence. One of these is that where governmental action seriously injures an individual, and the reasonableness of the action depends on fact findings, , the evidence used to prove the government's case must be disclosed to the individual so that he has an opportunity to show that it is untrue (emphasis added). . . . it is even more important where the testimony consists of the testimony of individuals whose memory might be faulty or who, in fact, might be perjurers or persons motivated by malice, vindictiveness, intolerance, prejudice or jealousy (emphasis added). . . . " Greene v. McElroy, 360 U.S. 474, 496, 79 S.Ct. 1400, 1413 (1959); Goldberg v. Kelly, 397 u.S. 254, 90 S.Ct. 1011 (1970).

The demands by Appellee that I stay away from Miss Richards with

refusals to tell me the charges against me or to give me the chance to prove that they were untrue were arbitrary, in violation of my rights to free speach and freedom of association and were also in violation of my right to due process of law.

There was no necessity whatever for haling me into court on charges involving my reputation, good name, honor and integrity. It would have been a comparatively simple matter to have given me a hearing, as required by the due process clause, in and by the Baltimore City Department of Social Services. To bring suit against me without first giving me a hearing and the opportunity to prove those charges untrue, in and by that agency, was a further violation of my right to due process of law.

I have suffered grievous loss indeed. Besides the thousands of dollars in financial costs, I have had my reputation, good name, honor and integrity dragged in the dirt and cheapened; I have lost every friend whom I once had and even my son; I have suffered countless insults, humiliations and indignities, besides untold mental and emotional anguish and, of course, my job gone.

And Appellee still refuses to this very day to tell those charges or give me the opportunity to prove that what is in its files about me is untrue.

* * * * * * *

The proceeding of May 20, 1980 was a trial <u>in absentia</u>. It made not even the slightest outward pretense of being anything else, of being a hearing on the merits. I might as well have been in Peoria. The summons was, in legal effect recalled. That proceeding and the resulting court order issued June 2, 1980 were void, mere nullities. That court order was useless for any purpose whatever and was <u>legally</u> unenforcable, because of total lack of due process. I was denied the right to hear, or even to know the testimony against me. I was given no opportunity whatever to be heard, to defend myself, to prove my innocence. I only learned the testimony against me months later when I obtained a copy of the transcript. It was totally ouside the pleadings, and consisted entirely of coerced testimony and the most blatant

perjury. Not one word was said concerning the charges on which I had been haled into court.

"The principle stated in this terse language lies at the foundation of all well-ordered systems of jurisprudence. Wherever one is assailed in his person or his property, there he may defend, because the liability and the right are inseparable. . . . A sentence of a court pronounced against a party without hearing him, or giving him an opportunity to be heard, is not a judicial determination of his rights, and is not entitled to respect in any other tribunal (emphasis added).

". . . . But notice is only for the purpose of affording the party an opportunity of being heard upon the claim or the charges made; it is a summons to him to appear and speak, if he has anything to say, why the judgement sough should not be rendered. The denial to a party of the benefit of a notice would be in effect to deny that he is entitled to notice at all, and the sham and deceptive proceeding had better be omitted altogether. (emphasis added).

"The law is, and always has been, that whenever notice or citation is required, the party cited has the right to appear and be heard; and when the latter is denied, the former is ineffectual for any purpose. The denial to a party in such a case of the right to appear is in legal effect the recall of the notice to him. (emphasis added). at pages 277-278

* * * *

"So a departure from established modes of procedure will often render the judgement void; . . . and the reason is, that the courts are not authorized to exert their powers in that way.

. . . .

"It was not within the power of the jurisdiction of the court to proceed with the case, so as to effect the rights of the owner after his appearance had been stricken out, and the benefit of the citation to him thus denied. For jurisdiction is the right to hear and determine; not to determine without hearing. And where, as in this case, no appearance was allowed, there could be no hearing or opportunity of being heard, and, therefore, could be no exercise of jurisdiction." at 283-284 Windsor v. McVeigh, 93 U.S. 274, 277-278, 283-284 (1876). See also, Hovey v. Elliott 167 U.S. 409, 17 S.Ct. 841 (1897); Boddie v. Connecticut, 401 U.S. 371, 377-378, 91 S.Ct. 780, 785-786 (1971); Fuentes v. Shevin, 407 U.S. 67, 80, 92 S.Ct. 1893, 1894 (1972); Bradstreet v. Neptune Ins. Co., 3 Sumn. 600, 3 Fed. Cas. 1184 (1839).

". . . . But the fundamentals of fairness are requisite to the validity of an adversary proceeding in any tribunal. Londoner v. City and County of Denver. 210 U.S.373, 28 S.Ct. 708, 52 L.Ed. 1103 (1908); Ullman v. Mayor, etc. of City of Baltimore, 72 Md. 587, 20 A. 141, 21 A. 709, 11 L.R.A. 224 (1890). See also Morgan v. United States, 304 U.S. 1, 18-19, 58 S.Ct. 773, 999 (999 can only be an error), 82 L.Ed. 1129 (1938) [further citations omitted]. A basic requirement of fairness is that the defendant be given notice and an adequate opportunity to defend against the

claim on which the judgement is based. Reynolds v. Stockton, 140 U.S. 254, 11 S.Ct. 773, 35 L.Ed. 464 (1891); Restatement, Judgements, § 8 c. See also Belt v. Blackburn, 28 Md. 227, 243 (1868). at page 288

. . . .

The violation of a constitutional right may make the proceedings in which the violation took place either voidable or void. In the words of Judge Markel, for the court, in State v. Ambrose, 191 Md. 353, 369, 62 A.2d 359, 366 (1948), a void judgement '"may be assailed at all times, and in all proceedings by which it is sought to be enforced." * * *

". . . . In this case, however the violation of the constitutional right of Plaza and Paul went to the fairness of the conduct of the trial and accordingly the money judgement obtained in violation of that right was invalid.

"Where a judgement was outside the cause of action stated in the complaint and the defendant was not given a fair opportunity to defend against the claim upon which the judgement was based, the judgement is invalid and subject to collateral attack." Travelers Indemnity Insurance Co. v. Nationwide Construction Corp., 244 Md. 401, 224 A.2d 285, 288, 290 (1966)

"The authorities seem to be in harmony in holding a void judgement is a mere nullity and inneffective for any purpose. Its status is the same as if it had never been entered. The point is succinctly summed up in 46 Am.Jur.2d, § 49 (1969) where it is said:

'A void judgement is not entitled to the respect accorded to, and is attended by none of the consequences of a valid adjudication. Indeed, a void judgement need need not be recognized by anyone, but may be entirely disregarded (emphasis added) . . . It has no legal or binding force or efficacy for any purpose or at any place (emphasis added). . . .

. . . . All proceedings founded on the void judgement are themselves regarded as invalid and ineffective for any purpose (emphasis added).

In short, a void judgement is regarded as a nullity, and the situation is the same as it would be if there were no judgement. . . . '

"Maryland law is in accord with these authorities (emphasis added). . . . ." Cook v. Alexandria National Bank, 263 Md. 147, 282 A.2d 97, 100-101 (1971)

It is shown that the authorities are in accord, including Maryland law, that a judgement entered against a defendant without giving him the opportunity to be heard, his day in court, is void, a mere nullity, ineffective for any purpose whatever, that such a judgement may simply be disregarded and that it is legally unenforcable.

It is also shown that any proceeding based on a void judgement is void, that any judgement, decree or order issuing from a proceeding based on a void judgement or order is void, a mere nullity,

itself and legally unenforcable.

There can be no slightest doubt but that that proceeding of May 20, 1980 was in total violation of due process, that it was void and that the court order issuing therefrom was void, a mere nullity and legally unenforcable.

There can be no slightest doubt but that the proceeding of September 10, 1980 was void, a nullity and that the court order which issued therefrom was also void, a mere nullity, that it is legally unenforcable and is ineffective for any purpose and can be disregarded, being based on a void court order.

* * * * * * *

". . . . Nor may a state, through the action of its officers contrive a conviction through the pretense of a trial which in truth is 'but used as a means of depriving a defendant of his liberty through a deliberate deception of the court and jury by the presentation of testimony known to be perjured.' Mooney v. Holohan, 294 U.S. 103, 112, 55 S.Ct. 340, 342, 79 L.Ed. 791, 98 A.L.R. 406. . . . The due process clause requires 'that state action, whether through one agency or another,, shall be consistent with the fundamental principles of liberty and justice which lie at the base of all our civil and political institutions.' Hebert v. Louisiana, 272 U.S. 312, 316, 47 S.Ct. 103, 104, 71 L.Ed. 270, 48 A.L.R. 1102. . . . " Brown v. State of Mississippi, 297 U.S. 278, 286, 56 S.Ct. 461, 465.(1936)

"First, it is established that a conviction obtained through the use of false evidence, known to be such by the representatives of the State, must fall under the Fourteenth Amendment. Mooney v. Holohan, 294 U.S. 103, 55 S.Ct. 340, 79 L.Ed. 791;(further citations omitted). The same result obtains when the State, although not soliciting false evidence, allows it to go uncorrected when it appears. (emphasis added). (citations omitted).

". . . . As stated by the New York Court of Appeals in a case very similar to this one, (citation omitted):

> ". . . . A lie is a lie, no matter what its subject, and if it is in any way relevant to the case, the district attorney has the responsibility and duty to correct what he knows to be false and elicit the truth. . . . (emphasis added)!

Napue v. People of the State of Illinois, 360 U.S. 264, 269-270, 79 S.Ct. 1173, 1177 (1959)

"One important function of the prosecutor upon a sentence is to make sure that all information in his possession material to punishment and favorable to the accused is presented to the court and the sentence is not based on mistakes of fact or faulty information. Cf. Brady v. Maryland, 373 U.S. 83, 87, 83 S.Ct. 1194, 10 L.Ed. 2d 215 (1963). . . .

"The sentencing process becomes an empty ritual, and a defendant's right to present 'any information in mitigation of punishment' is meaningless unless the judge keeps an

open mind until after he has heard all of the parties calmly and fully without interruption in a orderly manner. . . . " United States v. Malcolm 432 F.2d 809, 918 (1970)

Testimony which was not only immaterial and irrelevant, but false was introduced purporting to show that I had promised to buy an automobile, a $3,500.00 Camaro for Miss Richards Sister.

Facts concerning a trip to Ocean City were deliberately and maliciously misrepresented, twisted and distorted to make it appear that I had coldheartedly gone off in a huff, leaving Miss Richards and her girl friend. While it is true they were left, it was only because they had repeatedly refused to return although they both knew that it was imperative that I be at work that night and I was assured that they would be with her girl friend's sister.

A letter which I wrote stating most emphatically that I had no intention whatever of being blackmailed and which was completely irrelevant and immaterial was introduced in evidence in such a way as to make it appear reprehensible instead of laudatory.

When I found Miss Richards, she had been through hell on earth and had tried to commit suicide three times. Her ego and sense of self-esteem had been beaten and battered to the point where they were almost nonexistent and were badly in need of rebuilding. I knew and understood her emotional needs and wrote innumeralbe letters in order meet those needs and rebuild her ego and sense of self-esteem and to reassure her that there was someone who did <u>really</u> care and upon whom she could always depend.

She understood and I understood. One might say that those letters were fairyland. They had but one purpose, or one primary purpose, that was to meet her emotional needs, to rebuild her shattered ego and sense of self-esteem.

The Baltimore City Law Department used those letters to make me appear as some kind of monster and withheld letters which would have shown my true motives.

Much of the testimony against me, by Norma Myers, was perjured. much more of her testimony was uncorroborated hearsay.

The court order which I was alleged to have violated was, of course, void, legally unenforcable, but it had only ordered that I should not initiate contact with Miss Richards. There was no ban on Miss Richards initiating contact with me. There was no ban on her asking me to visit her and there was no ban on me visiting her at her request.

My lawyer knew the meaning, intent and extent of that order. We had discussed it immediately after that proceeding of May 20, 1980. I had called his office each time Miss Richards called and asked me to visit her. And we had discussed it immediately prior to this proceeding, September 10, 1980.

The judge grossly misinterpreted that court order to mean an absolute ban on contact between us, that we should be, each to the other as though we were dead.

Although I prompted my lawyer, he not only failed to correct that gross misinterpretation, but questioned Miss Richards as though that were indeed the correct interpretation.

The lawyer for Appellee had been the lawyer at the proceeding of May 20, 1980. He had drawn the order himself and certainly knew its meaning. It was his ethical and legal duty to make that correction himself when my lawyer failed to do so, but he deliberately said nothing.

That court order was evidence, important evidence. The gross misinterpretation by the judge made it, in effect, false evidence. The failure by the lawyer for Appellee to correct that misinterpretation was a gross violation of due process and that alone would be sufficient to invalidate that proceeding and the resulting court order.

The entire proceeding was designed and orchestrated with but one purpose in mind, to inflame and prejudice the judge against me and to have me found guilty before I ever stepped on the witness stand and it succeeded. As I was being called to the stand, the judge said, "You have caused far too much trouble already."

". . . . An impartial decisionmaker is a basic constituent of minimum due process. e.g. Goldberg v. Kelly, 397 U.S. 254, 271, 90 S.Ct. 1011, 25 L.Ed.2d 287 (1970); Wasson v. Trowbridge, 382 F.2d 807, 813 (2d Cir. 1967). Any other collateral procedural guarantees are largely without meaning if the deciding tribunal has in some way adversely prejudged the merits of the case. . . . " Simard v. Board of Education of Town of Groton, 473 F.2d 988 (1973)

". . . . No matter how guilty a suspect may appear to be (emphasis original), our system of law, with jealous regard for his rights, demands that he be accorded due process at every step of the proceedings against him. . . . " Ledbetter v. Warden, Maryland Penitentiary, 368 F.2d 490, 495 (1966)

"'. . . . [w]hatever disagreement there may be as to the scope of the phrase "due process of law," there can be no doubt that it embraces the fundamental conception of a fair trial. . . . '" Faye v. Noia, 372 U.S. 391, 411, 83 S.Ct. 822, 834 (1963)

"Misinformation or misunderstanding that is materially untrue regarding a prior criminal record, or material false assumptions as to any facts relevant to sentencing, renders the entire sentencing procedure invalid as a violation of due process. Townsend v. Burke, supra, 334 U.S. [736] at 740-741, 68 S.Ct. 1252. . . . " United States v. Malcolm, supra (emphasis added)

That proceeding could in no sense be said to be a fair trial. It would be difficult to imagine a more vicious and unprincipled attack, a grosser and more deliberate violation of every element and principle of fair play, justice, due process and even common decency.

Even had the entire proceeding not been void and a mere nullity, because it was based on a court order which was void, a mere nullity and legally unenforcable, the gross violation of due process would have made it void a dozen times over.

I was caught totally by surprise; I was unprepared for anything that happened and was in a state of near emotional shock, unable to testify coherently even if my attorney hadn't been so inept that, it hadn't been contrary to common sense, I would have sworn that he was in the pay of Appellee.

* * * * * * * * *

This part of my argument concerns questions 7 and 8 etc., asking if the rules of procedure are unconstitutional when used by the

state for the purpose of denying to an individual his right to a fair trial or appellate review.

These questions were raised on application for certiorari to The Court of Appeals of Maryland. The denial of certiorari was, in effect, to hold that such use of the rules of procedure are not unconstitutional.

In Griffin v. People of the State of Illinois, 351 U.S. 12, 76 S.Ct. 585 (1956), it was held that, while the Federal Constitution did not require that a state provide appellate review, when the state did so provide, it could not do so in a way which was invidiously discriminatory because of poverty, that such a discrimination is in violation of due process and equal protection of the laws.

While this was in reference to discrimination only because of poverty, however, when a state's courts are administered in such a manner as to discriminate against some while allowing appellate review for others, whatever the reason and whether intentional or unintentional, such discrimination is repugnant to our Constituion and in violation of due process and equal protection of the laws.

In Boddie v. Connecticut, 401 U.S. 371, 91 S.Ct. 780 (1971), relying, inter alia, on Griffin v. Illinois, supra, it was held that denial of access to the courts to those wishing to obtain divorces, but unable to pay the required court costs and fees, was in violation of equal protection.

In my own instance, I appealed to the Court of Special Appeals of Maryland. I was unable to pay an attorney and the State would not provide me with one, therefore, I was under the necessity of conducting my own appeal and composing my own brief, pro se.

The rules of procedure are often complex, obscure and confusing. A brief is a work of art. Although, in general, I am able to find the law and understand it when I do find it, I am lost in form and procedure and was unable to comply with the technical requirements

for a brief.

The Baltimore City Law Department filed a motion that my appeal be dismissed for the reason that my brief did not comply with the requirement of the rules of procedure. That motion had nothing whatever to do with the merits of my appeal. It was based solely on the fact that my brief did not comply with the technical requirements and was filed solely to deny me my right to appeal.

If I had been able to afford a competent attorney, I would have been granted appellate review. I was discriminated against and denied appellate review, because I was unable to afford a lawyer to handle my appeal for me. It was a matter of, no money, no appellate review, no justice.

Both Griffin and Boddie apply in my case. That denial of appellate review was invidiously discriminatory and in violation of due process and equal protection of the laws.

Rules of procedure have but one legitimate purpose. That is for the orderly adminstration of the courts business. Granted that at common law, it is the judges who make the law, rules of procedure are not common law, statutory law, nor constitutional law. When those rules are administered in a discriminatory manner and/or when they are used to subvert justice, they are being used in a manner and for purposes for which they were never intended, whether they deny equal access to the courts or allow the criminal to go free.

In an article, "Why Lawyers are in the Doghouse," in a recent issue of "U.S. News & World Report" of May 11, 1981, it was stated that responses of survey of judges rated only four percent of lawyers as being competent.

Whatever the percentage may be, there can be no doubt that clients often suffer because of the incompetency of their lawyers. Nor can there be any doubt but that many lawyers must be incompetent to represent a client on appeal and to formulate a brief and the layman has, in general no way of judging the competence of a lawyer.

It follows that the client must often be discriminated against because of the incompetency of his lawyer.The fact that he was able to pay a lawyer makes it none the less invidiously discriminatory. With a competent lawyer, he would have been granted appellate review. He was denied appellate review because his lawyer was incompetent. It has nothing whatever to do with the merits of his cause. Due process and equal protection of the laws have been violated.

When appellate review is granted to some and denied to others for any reason except the merits of the cause, it is a violation of due process and equal protection of the laws.

The same reasoning applies to the motion to dismiss my application for certiorari and the denial of certiorari by the Court of Appeals of Maryland. Justice is always desirable and in the public interest and that is especially true when the violation of constitutional rights are involved. To say otherwise is to say that our constitutional rights are at the whim and caprice of our state courts.

> ". . . . Upon the state courts, equally with the courts of the Union, rests the obligation to guard and enforce every right secured by that Constitution. Robb v. Connolly, 111 U.S. 624, 637, 4 S.Ct. 544, 28 L.Ed. 2d 542. . . . " (emphasis added). Mooney v. Holohan, 294 U.S. 108, 113, 55S.Ct. 340, 342 (1935)

And, of course the same reasoning applies to the motions to strike my motion to reopen after that proceeding of May 20, 1980 and my motion to vacate after that proceeding of September 10, 1980. Those motions had nothing whatever to do with the merits but were merely designed to use the rules of procedure to deny me my right to a fair trial in both instances. Those motions were in violation of due process and equal protection of the laws.

From footnote 11, Griffin v. Illinois, supra:

"Dissenting opinions here argue that the Illinois law

should be upheld since by its terms it applies to rich and poor alike. But a law nondiscriminatory on its face may be grossly discriminatory in its operation. . . . (Citations omitted).

There can be no doubt but that when rules of procedure operate in such a manner as to deny to some individuals the right to appellate review while not denying to other individuals the right to appellate review, they are operating in a discriminatory manner and are in violation of due process and equal protection of the laws, and regardless of the particular cause for that discrimination. Whatever that cause might be, the essential fact is the discriminatory manner in which they are operating.

"Due process is not concerned with the reason for the indictment or a prosecution, but with fairness. . . . " Kamsler v. M.F.I. Corporation, 359 F.2d 752, 754 (1966)

"However, this Court too has its responsibility. Regard for the requirements of the due process clause 'inescapably imposes on this Court an exercise of judgement upon the whole course of the proceedings [resulting in a conviction] in order to ascertain whether they offend those canons of decency and fairness which express the notions of justice of English-speaking peoples even toward those charged with the most heinous offenses.' Malinski v. People of state of New York, supra, 324 U.S. at pages 416-417, 65 S.Ct. at page 789. These standards of justice are not formulated anywhere as though they were specifics. Due process of law is a summarized constitutional guarantee of respect for those personal immunities which, as Mr. Justice Cardozza twice wrote for the court, are 'so rooted in the traditions and conscience of our people as to be ranked as fundamental', Snyder v. Commonwealth of Massachusetts, 291 U.S. 97, 105, 54 S.Ct. 330, 332, 78 L.Ed. 674, or are 'implicit in the concept of ordered liberty'. Palco v.

State of connecticut, 303 U.S. 319, 325, 58 S.Ct. 149 152, 82 L.Ed. 288." Rochin v. People of California, 342 U.S. 165, 169, 72 S.Ct. 205, 208 (1971)

". . . . The due process of law clause in the Fourteenth Amendment does not take up the statutes of the several states and make them the test of what it requires; nor does it enable this Court to revise the decisions of the state courts on questions of state law. What it does require is that state action, through one agency or another, shall be consistent with the fundamental principles of liberty and justice which lie at the base of all our civil and political institutions and not infrequently are designated as 'law of the land.' These principles are applicable alike in all the states, and do not depend upon or vary with local legislation. (citations omitted). . . . " Hebert v. State of Louisiana, 272 U.S. 312, 316-317, 47 S.Ct. 103, 104 (1926)

For almost two years I have fought alone against the power and might of the state. My almost non existent financial resources have been pitted against the State's comparatively unlimited financial resources. The legal training and experience of the many members of the Baltimore City Law Department were pitted against my, in the beginning, nonexistent legal knowledge. The legal knowledge which I now possess is the result of many hundreds of hours studying the law and doing legal research. What I have done is far beyond the ability of any average citizen. So far, it has all been wasted.

When the state brings its power and might, its comparatively unlimited financial resources and the legal training and knowledge of its legal departments, to bear on an individual who is unable to afford the legal aid necessary to properly defend himself, the inequality is such as to cause David and Goliath to appear as equals. Such an action is as unfair as to expect a baby to defend itself against an adult. Such a proceeding is the act of the bully, the tyrant, the oppressor, the despot and is a shame and disgrace to any nation which calls itself civilized. Such an action by the state is the rankest injustice. It violates every concept and principle of fair play, justice, due process, equal protection of the laws and even common decency. It is intolerable that such a condition should be allowed to exist in this nation which so proudly proclaims, "Liberty and justice for all."

There can be no liberty; there can be no justice, as long as such a state of affairs is allowed to exist, not for me; not for you; not for anyone else.

There can be not the least doubt but that such a prceeding by the state does "'. . . offend those canons of decency and fairness which express the notions of justice of English-speaking peoples. . . .'" Rochin v. California, supra. There can be not the least doubt but that such state action is not ". . . . consistent with the fundamental principles of leberty and justice which lie at the base of all our civil and political institutions and not infrequently are designated as 'law of the land.' . . . " Hebert v. Louisiana, supra. There can be no least doubt but that such action by the state violates every concept and principle of fair play, justice, due process, equal protection of the laws and even common decency.

There can be no least doubt but that when the state brings its power and might to bear on the hapless citizen without providing him the necessary means to properly defend himself, and that, regardless of the magnitude of the cause and whether designated civil or criminal, is in violation of due process and equal protection of the laws.

Moreover, when, after having been put to the expense and loss of time entailed by defending himself against the action of the state, the individual is shown to be innocent,failure of the state to recompense the citizen for his financial costs and loss of time is grossly unfair and unjust. I recently read of a man who had been proved innocent after fifteen years imprisonment, I believe in Pennsylvania and that is only one of many such events. Fifteen years of that man's life wasted and the state probably didn't even apologize.

In my own case, the thousands of dollars I have been forced to spend, the hundreds of hours I have been forced to spend studying law, doing legal research and preparing pleading must

must come under the Fourteenth Amendment ban of deprivation of property without due process of law. Money is certainly property and the value of my time must be considered property.

In my own case, there can be no least doubt but that I have been deprived of property without due process of law, because it is undeniable that I have been denied due process and equal protection of the laws at every step of the way and in every proceeding against me.

It must be for this Court to consider the constitutional issues involved, when a citizen who is found innocent, although given the full protection of due process and equal protection of the laws, has suffered great financial loss and loss of time. The gross unfairness and injustice of failure by the state to make recompense is manifest.

CONCLUSION

In every proceeding, in every instance, at every step of the way, during these last almost two years, there has been a total violation and denial of due process and equal protection of the laws. Every proceeding, every decision, both court orders are void, mere nullities, legally unenforcable, because of total lack of authority of law.

Use of the rules of procedure to deny an individual his right to a fair trial or to appellate review is repugnant to the United States Constitution and especially when they are used to deny one his right to appellate review when he is acting pro se.

When the state brings its power and might to bear on the hapless and defenseless citizen who has not the financial means to properly defend himself, while refusing to give him the means to properly defend himself is the act of the tyrant, the oppressor, the despot. It is as reprehensible as to expect a baby to defend itself against an adult. It offends every canon of fairplay, justice and decency. When the state brings its power and might to bear on a hapless citizen who has not the means to properly defend himself, due process

and equal protection demand that the state give that individual the means to defend himself properly. To hold otherwise would be to perpetuate the rankest injustice and oppression.

And in a case such as mine, there can be no question whatever but that the very great loss I have sustained because of the depredations of the state, coupled with the total denial to me of due process and equal protection of the laws is a vioation on the ban against deprivation of property without due process of law.

There can be no least doubt but that I have been deprived of freedom of speech, freedom of association and liberty without due due process of law.

The transcript of the proceeding of May 20, 1980 shows that I was given no opportunity whatsoever to be heard, to defend myself, but that the judge cut me off when I tried to say something. It shows that there was no hearing on the mertits on anything, because a hearing on the merits is one in which every legal right is observed. It was a total denial of due process.

It shows that there was no hearing of any kind on counterclaims I had filed under the Maryland Public Information Act, that the only mention of those counterclaims was when they were ordered dismissed.

The copy of the motion for summary judgement filed by the Baltimore City Law Department shows that they told the most bare-faced and outrageous lies in the Circuit Court of Baltimore City in order to have that suit dismissed with prejudice on the basis of res judicata, which could not possibly have been applicable.

That dismissal with prejudice isn't worth the paper it is written on, because it is one hundred percent fraudulent, but it is easily seen that, whatever the reason may be, it is impossible for me ot obtain justice in the Maryland courts.

I have come to this Court, the Supreme Court of the United States, seeking the justice which has been so surely denied me by the courts of Maryland.

81-5164

IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

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H.E. FRIEDMAN
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ALFRED M. STRICKLAND *
Appellant *
v. *
BALTIMORE CITY DEPARTMENT * No. 1429
OF SOCIAL SERVICES * September Term, 1980
Appellee *

RECEIVED
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OFFICE OF THE CLERK
SUPREME COURT, U.S.

NOTICE OF APPEAL

Notice is hereby given that Alfred M. Strickland, Appellant above named, hereby appeals to the Supreme Court of the United States from the conviction of contempt of court in the Baltimore City Circuit Court on September 10, 1980 and the subsequent dismissal by the Court of Special Appeals in the above captioned case.

This appeal is taken under 28 U.S.C. §§ 2101 (c), 2101 (d) and 1257 (2).

Alfred M. Strickland

Alfred M. Strickland, Attorney pro se

CERTIFICATE OF SERVICE

I, Alfred M. Strickland, certify that I have served copies of the aforegoing Notice of Appeal on Bemjamin L. Brown, City Solicitor, City Hall, 100 Holliday St., Baltimore, Md. 21202, the Circuit Court of Baltimore City, Clerk of the Court, 111 N. Calvert St., Baltimore, Md. 21202 and upon the United States Supreme Court, by mailing, June 30, 1981.

Alfred M. Strickland

Alfred M. Strickland

Subscribed and sworn to before me this 30th of June, 1981.

4111 Sh ALAMEDA
BALTIMORE, MD. 21218
(301) 467-0991

Notary Public

STRICKLAND, ALFRED M

called by Cr. J Spec Appeal not Supp coming

81-5164

RECEIVED
JUN 29 1981
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE CIRCUIT COURT

OF

BLATIMORE CITY

BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES

Petitioner

v.

ALFTED M. STRICKLAND

Respondent

Docket: 119A

Folio: 927

File: A-59207

NOTICE OF APPEAL

Notice is hereby given that Alfred M. Strickland, respondnet above named, hereby appeals to the Supreme Court of the United States form the conviction of contempt of court, September 10, 1980, the court order issued September 25, 1980 and the denial of Certiorari by the Court of Appeals of Maryland, April 6, 1980.

This appeal is taken under 28 U.S.C. §§ 2101 (c) and 1257 (2). or 2101 (d).

Alfred M. Strickland

Alfred M. Strickland, Attorney pro se

I, Alfred M. Strickland, certify that I have served a copy of the aforegoing Notice of Appeal on Benjamin L. Brown, City Solicitor, Attorney for Petitioner and upon the Clerk of the Court of the Court of Appeals of Maryland, by mailing, on june 26, 1981. And upon the Clerk of the Court of the Circuit Court of Baltimore City.

Benjamin L. Brown, City Solicitor
City Hall Law Dept.
100 Holliday St.
Baltimore, Md. 21202

Alfred M. Strickland

Alfred M. Strickland

Subscribed and sworn to before me this 26 day of June, 1981.

Notary Public

Clerk of the Court
Circuit Court of Baltimore City
111 N. Calvert St.
Baltimore Md. 21202

Clerk of the Court
Court of Appeals
Courts of Appeals Bldg.
Annapolis, Md. 21401

(57)

ALFRED M. STRICKLAND

V.

BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES

In the
Court of Appeals
of Maryland

Petition Docket No. 582
September Term, 1980
(No. 1429, September Term, 1980
Court of Special Appeals)

ORDER

Upon consideration of the petition for a writ of certiorari to the Court of Special Appeals in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the petition be, and it is hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ Robert C. Murphy
Chief Judge

Date: April 6, 1981.

(46)

ALFRED M. STRICKLAND	:	IN THE
Appellant	:	COURT OF SPECIAL APPEALS
-vs-	:	OF MARYLAND
BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES	:	September Term, 1980
	:	No. 1429
Appellee	:	
	:	

: : : : : : : : : : : : : : :

ORDER

Upon the aforegoing Motion to Dismiss Appeal and response thereto, it is this 9th day of February, 1981, by the Court of Special Appeals of Maryland,

ORDERED, that the Motion to Dismiss Appeal filed by the Baltimore City Department of Social Services, Appellee, be and the same is hereby granted, and the appeal dismissed. Md. Rule 1035 b. 7.

CHIEF JUDGE Theodore G. Gilbert

JUDGE Ridgely P. Melvin

JUDGE James F. Couch, Jr.

BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES Petitioner vs. ALFRED M. STRICKLAND Respondent	•	IN THE CIRCUIT COURT OF BALTIMORE CITY Docket: 119A Folio: 927 File No.: A-59207

ORDER

The Petition To Hold Respondent In Contempt Of Court and Issue Show Cause Order filed by the Baltimore City Department of Social Services, Petitioner, in the above captioned matter, having come on for hearing in open court, all parties having been represented by counsel and evidence having been considered it is this 25th day of September 1980, the finding of the Circuit Court of Baltimore City that Alfred M. Strickland, Respondent, has violated the Order of this Court, dated June 2, 1980, and that therefore he is hereby found to be in contempt of this Court for violation of said Order.

Further, it is on this day by the Circuit Court of Baltimore City, ORDERED that there be no contact whatsoever either directly or indirectly, verbally or non-verbally, by telephone, letter, mail, message, by courier or by a third party or by any means of communication whatsoever between Alfred M. Strickland, Respondent, and Shirley Richards, minor child, and between Alfred M. Strickland, Respondent, and Norma Myers, foster parent.

It is further ORDERED that there shall be no exchange or delivery of gifts directly or indirectly by courier or by a third party or by any other manner whatsoever between Alfred M. Strickland, Respondent, and Shirley Richards, minor child.

It is further ORDERED that Alfred M. Strickland, Respondent, shall not directly or indirectly interfere or attempt to interfere in any manner whatsoever with t[illegible]ster care placement of Shirley Richards, minor child.

It is further ORDERED that Alfred M. Strickland, Respondent, shall forthwith contact the Medical Office of the Supreme Bench of Baltimore City and arrange for that office to perform a psychiatric and psychological evaluation of him.

Costs waived

Paul A. Dorf
JUDGE

APPROVED AS TO FORM

Lawrence R. Daniels
LAWRENCE R. DANIELS
Attorney for Alfred M. Strickland, Respondent

TRUE COPY
TEST
Ronald J. Wales
CLERK

AND BY

/s/
BENJAMIN L. BROWN
City Solicitor

/s/
BERNARD A. GREENBERG
Assistant Solicitor

Attorneys for Department of Social
Services of Baltimore City